



Legislative Bulletin.....May 1, 2001

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H.Con.Res. 91—Recognizing the importance of increasing awareness of the autism spectrum disorder, and supporting programs for greater research and improved treatment of autism and improved training and support for individuals with autism and those who care for them. (Smith, Christopher)

Order of Business: The resolution is scheduled to be considered under a motion to suspend the rules on Tuesday, May 1st.

Summary: The resolution states that Congress:

- supports the goals and ideas of Autism Awareness Day (April 27) and Month (April)
- recognizes and commends the parents and relatives of autistic children
- supports the goal of increasing federal funding for aggressive research to learn the root causes of autism, identify the best methods of early intervention and treatment, and promote understanding of the special needs of autistic persons
- urges the Department of Health and Human Services to continue to press for the swift and full implementation of the Children's Health Act of 2000 (PL 106-310), particularly the establishment of not less than three “Centers of Excellence” at the Centers for Disease Control and Prevention and not less than five “Centers of Excellence” at the National Institutes of Health, in order to monitor the prevalence of autism at a national level

- stresses the need to begin early intervention services soon after a child has been diagnosed with autism
- supports the goal of federally funding 40 percent of the costs of the Individuals with Disabilities Education Act (IDEA) to states and local school districts, recognizing that the inadequacy of this funding has “adversely affected” the ability of school districts to appropriately respond to the rising number of autism cases in our schools
- urges federal, state, and local governments to allocate sufficient resources to teacher training initiatives to increase the number of teachers who can help with the special needs of autistic students
- recognizes the importance of worker training programs that are tailored to the needs of developmentally disabled persons, including those with autism, and notes that autistic persons can be, and are, productive members of the workforce if they are given appropriate support, training, and early intervention services.

Cost to Taxpayers: Though the resolution calls for increased federal funding for autism research, no funding is actually authorized.

Does the Bill Create New Federal Programs or Rules?: No.

Constitutional Authority: A committee report citing onstitutional authority is not available.

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H.R. 309—Guam Foreign Investment Equity Act (Underwood)

Order of Business: The resolution is scheduled to be considered under a motion to suspend the rules on Tuesday, May 1st.

Summary: The bill would authorize Guam to apply the same (i.e. lower) tax rates to the income earned by foreign investors in Guam that applies in the 50 U.S. states, as established in various international treaties.

Additional Background: The U.S. Internal Revenue Code taxes income earned by foreign investors in the U.S. at a standard 30% rate. However, certain tax treaties provide for lower tax rates for investors from certain countries. This bill would allow Guam for the first time to apply the negotiated lower rates to foreign investment in Guam.

Cost to Taxpayers: The CBO estimates that H.R. 309 would have no significant impact on the federal budget. Decreased revenues from the Guam territorial income tax could be offset by increased tax revenues generated from increased foreign investment in Guam.

Does the Bill Create New Federal Programs or Rules?: No.

Constitutional Authority: Committee Report 107-48 cites Article I, section 8 (no specific clause is cited) and Article IV, section 3 (the power for Congress to make laws for the territories) as the sources of authority for this legislation.

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H.R. 601 – Continued Access to Hunting in Idaho’s Craters of the Moon National Monument (Simpson)

Order of Business: The bill will be considered under suspension of the rules.

Summary: On November 9, 2000, President Clinton added approximately 661,287 acres of federal lands to the Craters of the Moon National Monument in Idaho (which previously comprised 53,440 acres). H.R. 601 redesignates approximately 410,000 acres as the “Craters of the Moon National Preserve” and specifies that the Preserve “shall be administered in accordance with” (1) President Clinton’s Presidential Proclamation 7373 of November 9, 2000; (2) the Antiquities Act of June 8, 1906; and (3) the general laws governing the National Park System.

H.R. 601 makes an exception to the above which requires the Secretary of the Interior to “permit hunting on lands” within the Preserve in accordance with Idaho and US laws. The Secretary, “in consultation” with the State, may designate zones and times where and when hunting may be prohibited for 1) public safety, 2) protection of the area's resources, 3) administration, or 4) “public use and enjoyment,” though no definition of “in consultation” is found in the bill. The Secretary may designate such times and zones without the State’s consultation “in emergencies,” though no definition for the term “emergencies” is in the bill.

Additional Background: Craters of the Moon National Monument was established by proclamation of President Calvin Coolidge in 1924 for the purpose of protecting the unusual landscape of the Craters of the Moon lava field. Between 1924 and 1962, the monument was expanded and boundary adjustments were made through four presidential proclamations. In 1996, a minor boundary adjustment was made by section 205 of the Omnibus Parks and Public Lands Management Act of 1996.

Cost to the Taxpayers: CBO estimates that implementing H.R. 601 would not significantly affect the federal budget or the agency costs of the National Park Service and the Bureau of Land Management, which jointly administer the area.

Does the Bill Create New Government Programs or Regulations: Before President Clinton’s National Monument Proclamation, the federal lands in question were open to hunting (consistent with ID state law) and grazing (consistent with the federal Taylor Grazing Act). The proclamation changed this. This bill will return some local control to Idaho

regarding hunting, though it grants the Secretary of Interior authority to prohibit local use of the land after “consultation” with the State.

Constitutional Authority: The Committee Report cites Article I, section 8 but does not cite a specific clause and also cites Article IV, section 3 (Rules regarding federal property) of the Constitution as its authority to enact this bill.

Administration Position: In his testimony before the subcommittee on March 13, 2001, Joseph Doddridge, acting assistant secretary for Fish and Wildlife, said the Interior Department, “supports the intent of H.R. 601 to open the NPS-managed portion of the monument expansion to hunting” but specified that Interior was “concerned” over the original version of the bill that precluded any control for the Secretary. The bill sponsor amended the bill with language outlined above to address the Interior Department’s concerns.

H.R. 182 – Eightmile River Wild and Scenic River Study Act of 2001 (Simmons)

Order of Business: The bill will be considered under suspension of the rules.

Summary: H.R. 182 directs the Secretary of the Interior to study a segment of the Eightmile River in Connecticut for potential addition to the Wild and Scenic Rivers System. This bill will be the 138th river to be recommended for study.

Additional Background: The National Wild and Scenic Rivers System was created by Congress in 1968, when 8 rivers were designated. Currently over 148 rivers or river segments have been designated by Congress and/or the Secretary of the Interior. To be eligible, rivers or river segments must meet two criteria: 1) the river corridor must be free flowing, and 2) it must contain at least one “outstanding remarkable resource” deserving special recognition, such as a prominent natural, cultural, scenic, or recreational resource. For more information go to <http://www.nps.gov/rivers/studyrivers.html>

Cost to Taxpayers: The legislation would require the Secretary to complete the study within three years of enactment. Based on information from the National Park Service, CBO estimates that carrying out the study would cost \$100,000 a year over the next three years (\$300,000), assuming availability of the necessary amounts.

Constitutional Authority: The Committee finds authority under Article I, section 8 of the Constitution, but cites no specific subsection.

Does the Bill Create New Federal Programs or Rules: Yes, the bill creates a 3-year study to include another river in the Department of Interior’s Wild and Scenic Rivers System.

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H.Con. Res. 95—Supporting a National Charter Schools Week (Tancredo)

Order of Business: The bill will be considered under suspension of the rules.

Summary: The concurrent resolution notes the existence and contributions of charter schools and resolves that, “Congress acknowledges and commends the charter school movement for its contribution to improving our Nation's public school system” and states that it is the sense of the Congress that 1) a National Charter Schools Week should be established; and 2) “the President should issue a proclamation calling on the people of the United States to conduct appropriate programs, ceremonies, and activities to demonstrate support for charter schools in communities throughout the Nation.”

Cost to Taxpayers: The bill is a non-binding resolution which mentions that Charter Schools have received \$500 million in grants from the federal government since their creation in 1994 but does not authorize any new spending.

Constitutional Authority: No committee report citing constitutional authority is available.

Does the Bill Create New Federal Programs or Rules: No.

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H.Res. 112 – Recognizing the 100th anniversary of the 4-H Youth Development Program (Foley)

Order of Business: The bill will be considered under suspension of the rules.

Summary: The resolution notes the 4-H Club’s activities and participants and then states, “Resolved, That the House of Representatives recognizes the upcoming 100th anniversary of the 4-H Youth Development Program and commends such program for service to the youth of the world.”

Cost to Taxpayers: The bill is a non-binding resolution without reference to funding.

Constitutional Authority: No committee report citing constitutional authority is available.

Does the Bill Create New Federal Programs or Rules: No

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